

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

GARCEIA COLEMAN,

Petitioner,

v.

Case No. 11-C-305

GREGORY GRAMS,

Respondent.

ORDER

Garceia Coleman filed a petition pursuant to 28 U.S.C. § 2254. I dismissed it on timeliness grounds, concluding that it was several years late. I also denied a certificate of appealability as well as a request to proceed *in forma pauperis* on appeal.

Following his notice of appeal, Coleman has filed a motion under Fed. R. Civ. P. 60(b). He asserts that this Court erred in dismissing the petition on timeliness grounds. Although a notice of appeal normally divests a district court of jurisdiction to address matters being appealed, a district court may entertain and deny a Rule 60(b) motion. *Mahone v. Ray*, 326 F.3d 1176, 1179 (11th Cir. 2003). The motion is **DENIED** for the same reasons already given. The fact that the Petitioner filed a post-conviction motion recently does not revive the federal habeas clock under AEDPA, which had already run out. The motion to proceed IFP on appeal has already been denied, and the more recent motion changes nothing.

SO ORDERED this 27th day of June, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge